UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/723,391	11/25/2003	Marcus Felipe Fontoura	ARC920030080US1	8873

7590	05/18/2006		EXAMINER
			ONI, OLUBUSOLA

Frederick W. Gibb, III
McGinn & Gibb, PLLC
Suite 304
2568-A Riva Road
Annapolis, MD 21401

ART UNIT	PAPER NUMBER
2168	

DATE MAILED: 05/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/723,391	FONTOURA ET AL.
	Examiner	Art Unit	
	OLUBUSOLA ONI	2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _11/25/2003_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-37_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-37_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _11/25/2003_.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communication: Application, filed on 11/25/2003.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102

that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-37 rejected under 35 U.S.C. 102(e) as being anticipated by Sanjay

Krishnamurthy (Pub No U.S 2005/0055343) hereinafter "Sanjay".

For claim 1, Sanjay teaches "a method for parsing documents in query processing,

said method comprising: producing at least one index of a document written in a

mark-up language; corresponding said index to said document" (See paragraph

[0014])

"scanning said document" (See paragraph [0060],[0067] wherein Sanjay's teaches

of scanning only a range of documents within an index)

"selectively skipping portions of said document based on instructions from said

index"(See paragraph [0065-0068] wherein Sanjay teaches receiving a query, and

calculating boundaries which the requested node must fall, and excluding those out

7.   The method of claim 4, wherein said each of said elements corresponds to a

of the boundary, thus teachings are synonymous)

For claim 2, Sanjay teaches "wherein said mark-up language comprises any of

HTML and XML" (See paragraph [003]-[0010] wherein Sanjay teaches XML as mark

up language)

For claim 3, Sanjay teaches "wherein the skipped portions of said document

comprise portions irrelevant to said query"(See paragraph [0064]-[0066])

For claim 4, Sanjay teaches "wherein said index comprises a plurality of elements

representing textual categories of said query" (See paragraph [0004]-[0011])

For claim 5, Sanjay teaches "wherein said instructions match said elements to said

query" (See paragraph [0064]-[0066] wherein Sanjay's teaches include skipping part

of the document based on calculating boundaries)

For claim 6, Sanjay teaches "wherein if said elements do not match said query,

then said parser uses said index to skip the portions of the document corresponding

to unmatched elements" (See paragraph [0065]-[0068])

For claims 7 and 8, Sanjay teaches "wherein said each of said elements

corresponds to a position ..."(See paragraph [0003]-[0005] wherein Sanjay's

teachings of XML element includes an end tag, thus teachings are synonymous)

For claim 9, Sanjay teaches "wherein said index uses said end position as a marker for determining where to resume scanning said document upon skipping said portions of said document" (See paragraph [0066]-[0067] Sanjay's teaching of beginning and end boundaries of the range enhances scanning of the entries based on the beginning and ending of the entries)

For claim 10, Sanjay teaches "wherein said elements comprise sub-elements representing textual sub-categories of said query"(See paragraph [0004]-[0011])

For claim 11, Sanjay teaches "wherein said sub-elements updates said position in said document upon skipping said portions of said document and resuming scanning of said document"(See paragraph [0064]-[000067] wherein Sanjay teaches skipping said portions by setting a range of boundaries and scanning the entries, reads on applicant's claim language)

For claims 12, Sanjay teaches "saving said textual categories into a buffer"(See paragraph [0018]-[0019], [0083]-[0083]).

For claims 13-24, these claims are rejected on grounds corresponding to the arguments given above for rejected claims 1-12 and are similarly rejected.

For claims 25-36, these claims are rejected on grounds corresponding to the arguments given above for rejected claims 1-12 and are similarly rejected.

For claim 37, this claim is rejected on grounds corresponding to the arguments

given above for rejected claim 1 and is similarly rejected.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OLUBUSOLA ONI whose telephone number is 571-272-2738. The examiner can normally be reached on 7.30-5.00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TIM VO can be reached on 571-272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

OLUBUSOLA ONI
Examiner
Art Unit 2168

TIM VO
PRIMARY EXAMINER